

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 96-4961**

---

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

CLARENCE D. COAKLEY,

Defendant - Appellant.

---

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Terrence W. Boyle, District Judge. (CR-96-26-BO)

---

Submitted: October 28, 1997

Decided: December 3, 1997

---

Before ERVIN and NIEMEYER, Circuit Judges, and PHILLIPS, Senior Circuit Judge.

---

Affirmed by unpublished per curiam opinion.

---

Clarence D. Coakley, Appellant Pro Se. Jane H. Jolly, Assistant United States Attorney, Raleigh, North Carolina, for Appellee.

---

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Following a jury trial, Clarence D. Coakley was convicted of one count of conspiracy to possess with intent to distribute and to distribute cocaine and cocaine base, in violation of 21 U.S.C. § 846 (1994), and two counts of distribution of cocaine base, in violation of 21 U.S.C. § 841(a)(1) (1994). The court sentenced him to life plus 360 months. Proceeding pro se, Coakley appealed, claiming that the district court improperly denied his motion to compel discovery, that the government improperly withheld exculpatory materials in violation of Brady v. Maryland, 373 U.S. 83 (1963), and that he was prosecuted on an invalid indictment. We find no merit to his claims. Consequently, we affirm.

Coakley failed to specify any information that was withheld. The record does not show that the government ultimately failed to provide any of the information Coakley sought in his motion to compel, nor does the record support Coakley's claim that the government withheld Brady materials. His claim that he was improperly prosecuted upon an indictment that was not returned by a federal grand jury also is unsupported by the record.

Consequently, we affirm Coakley's convictions. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED